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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
BAUTISTA, XIOMARA L	

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 09/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/821,798	PRICE ET AL.	
	Examiner	Art Unit	
	X L Bautista	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 June 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see amendment, filed 6/18/04, with respect to the rejection(s)of claim(s) 1-28 and Richard Han's patent (EP 1132847 A2) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Bernardo et al (US 6,684,369 B1), Rasmussen et al (US 2002/0178187 A1), Van Huben et al (US 5,920,867), Immerman et al (US 6,785,721 B1), and Moshal et al (US 2002/0054040 A1).

Claim Objections

2. Claims 12 and 28 are objected to because of the following informalities: "processing said new timestamp and said new second new timestamp" (claim 12, line 21; claim 28, line 21) should be changed to --processing said new timestamp and said second new timestamp--. Correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 4-11, 13 and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Bernardo et al* (US 6,684,369 B1) and Rasmussen et al (US 2002/0178187 A1).

Claims 1 and 23:

Bernardo discloses a software tool for simplifying the creation of Web sites using templates (filler page) that enable personalization and customization of the Web site and pages and facilitate the inclusion or modification of graphical and other multimedia objects (abstract; col. 2, lines 38-42, 66-67; col. 3, lines 1-5). The invention provides a tool for facilitating the posting of content to an already created Web site, where pages corresponding to the content are dynamically rendered on the fly (col. 3, lines 14-17; col. 8, lines 28-32; col. 10, lines 23-46; col. 23, lines 4-17; col. 24, lines 61-67). Bernardo does not teach that the view page (web page) includes a plug-in, which enables downloading of the filler page (template) and rendering of a list content according to the content structure specified by the filler page. However, Rasmussen discloses a system for applying electronic signatures to HTML forms. Rasmussen teaches that the HTML form is a web page or template containing blank fields into which data can be entered (abstract; p. 1, pp. 0006). The HTML form can be filled out and uploaded; data is merged with the template, and the signature is attached (p. 2, pp. 0021; p. 3, pp. 0046,). The user is enabled to select an HTML form to be filled and signed; the user clicks on an URL link in the web page to initiate a download of the selected HTML form. The display frame initially contains a blank HTML page, which will

be replaced with a second HTML page (HTML form that is to be signed by the user) as the plugin loads. The URL defining the second HTML page is specified in the plugin's tag attribute (p. 3, pp. 0050). Rasmussen teaches that the plugin downloads the merged HTML form and performs a second request, referencing the URL of the merged HTML form, to display the merged HTML form in the display frame (p. 5, pp. 0071). Therefore, it would have been obvious to one ordinarily skilled in the art at the time the invention was made to modify Bernardo's software tool to include Rasmussen's method of downloading HTML templates using a plugin because it provides an extremely simple, fast, and convenient way for retrieving or downloading templates from the server, and rendering the template and displaying its content at the client site.

Claims 4, 5 and 24:

Bernardo teaches a template having attributes (tuple, list data) specifying the structure of the page. Bernardo teaches that the page may include a list of options to be selected, text, image, links, etc. (col. 6, lines 32-56; col. 7, lines 7-24; col. 9, lines 50-54; col. 10, lines 23-50).

Claims 6 and 7:

Bernardo teaches that the page may comprise hypertext markup language (HTML) files; various links to other files; the link may include a URL that may link to another page, etc. (col. 10, lines 34-47).

Claims 8, 9 and 25:

Bernardo teaches command initiators (buttons) that can be used to invoke an

operation (col. 7, lines 7-25; col. 8, lines 28-55; figs. 4-12).

Claims 10 and 26:

See claims 1, 4, 6 and 8. Bernardo teaches a page (HTML document) that includes heading, attributes, list data, buttons and links (col. 6, lines 32-56; col. 7, lines 7-24; col. 8, lines 28-55; figs. 4-12; col. 9, lines 50-54; col. 10, lines 23-50).

Claims 11 and 27:

See claim 1. Bernardo teaches manipulation and updating of list data (abstract; col. 2, lines 38-65; col. 8, lines 29-32; col. 9, lines 48-64; col. 10, lines 23-33; col. 23,lines 13-16; col. 24, lines 61-67).

Claim 13:

See claims 1, 4, and 8. Bernardo/Rasmussen teaches a view page (template) at a client site hosting a plug-in, a template for providing list data, buttons for operating the list data, which includes data tuples (values, attributes), (Bernardo: col. 7, lines 7-25; col. 8, lines 28-65; col. 9, lines 1-12, 48-64; col. 10, lines 23-50).

5. Claims 2, 12, 14-20, 22 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Bernardo/Rasmussen* and *Van Huben et al* (US 5,920,867).

Claims 2 and 16:

See claim 1. Bernardo/Rasmussen does not teach that the plugin includes a Java applet. However, Van Huben discloses a data management system for file and database management including a Design Control System, wherein client and server

can implement programs written in cross platform languages like Java (col. 11, lines 20-30). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to include Van Huben's teaching of implementing programs written in Java because it is smaller, more portable, more robust, more secure, and platform-neutral; and include a Java applet in the plugin because applets can be downloaded and run by any Web browser capable of interpreting Java; and applets can be activated automatically when a user views a page, or clicks on a link or icon in the Web page.

Claims 12, 20, 22 and 28:

See claim 1. Bernardo/Rasmussen teaches triggering a list data update in a plug-in (Bernardo: col. 9, lines 1-12). Bernardo/Rasmussen does not teach generating a delta update query by a delta update unit, when in the delta update mode; sending the delta update query to a delta update handler at the server site; identifying the delta changes based on a timestamp, and generating a delta update based on the delta changes using a second new timestamp. However, Van Huben discloses a Full Update mode and a Delta Mode, sending a query to the server, identifying delta changes based on a timestamp, generating, sending, and rendering the delta update (col. 45, lines 26-65; col. 47, lines 23-37; col. 48, lines 7-34). Thus, it would have been obvious to an artisan in the art at the time of invention to include Van Huben's teaching of identifying delta changes based on a timestamp on Bernardo/Rasmussen's invention because the system has control of every change made to the page and a timestamp so that users may have the most-up-to-date page.

Claim 14:

See claim 12 and claim 13. Van Huben teaches a delta update handler for performing operations related to updates (col. 45, lines 26-65; col. 47, lines 23-37; col. 48, lines 7-34).

Claim 15:

See claim 12. Van Huben teaches that all objects are identified by name and type (col. 33, lines 11-18; col. 36, lines 16-20). Bernardo/Rasmussen/Van Huben teaches a delta update handler, a delta change identification mechanism that permits the system to identify changes made to the data and its attributes and the time when the changes occur specified by a timestamp; the system generates the delta update containing the changed data; and a delta update sender to send the delta update to the plug-in (col. 45, lines 26-65; col. 47, lines 23-37; col. 48, lines 7-34).

Claim 17:

See claims 1, 4, 6 and 8. Bernardo teaches a template having attributes (tuple, list data) specifying the structure of the page. Bernardo teaches that the page may include a list of options to be selected, text, image, links, etc. Bernardo teaches a page (HTML document) that includes heading, attributes, list data, buttons and links (col. 6, lines 32-56; col. 7, lines 7-24; col. 8, lines 28-55; figs. 4-12; col. 9, lines 50-54; col. 10, lines 23-50).

Claim 18:

See claims 1, 4 and 11. Bernardo teaches command initiators (buttons) that can

be used to invoke an operation (col. 7, lines 7-25; col. 8, lines 28-55; figs. 4-12).

Claim 19:

See claims 1 and 12. Bernardo/Rasmussen/Van Huben teaches a list data update unit for updating the attributes that have been changed (col. 45, lines 26-65; col. 47, lines 23-37; col. 48, lines 7-34).

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Bernardo/Rasmussen* and *Immerman et al* (US 6,785,721 B1).

Claim 3:

See claim 1. Bernardo/Rasmussen does not teach that plugin includes an ActiveX control. However, Immerman discloses a system for deploying web applications (abstract; col. 2, lines 30-44). Immerman teaches web site development tools; and a template file of forms and pages that allows a downloaded page to look as described (col. 8, lines 7-11). Immerman teaches a download control 146 that is an implementation of a download plugin or download ActiveX, either being used on interface 300 to extent the capability of browser 244 (col. 9, lines 1-10; col. 33, lines 11-29, 40-42). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to include Immerman's teaching of a download ActiveX control in Bernardo/Rasmussen's invention because ActiveX controls are reusable software components that can be embedded in Web pages to add specialized functionality and can be written in a variety of programming languages,

including platform-independent Java.

7. **Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Bernardo/Rasmussen/Van Huben* and Moshal *et al* (US 2002/0054040 A1).**

Claim 21:

See claim 12. Bernardo/Rasmussen teaches a server push and a client pull (upload and download). Van Huben teaches generating delta and full update. Bernardo/ Rasmussen/Van Huben does not teach timers for regulating the frequency of full and delta updates. However, Moshal discloses a system for effecting and monitoring real-time processes. Moshal teaches that the system includes a processor that periodically collects real-time data regarding the real-time process, and periodically updates a display with a graphical representation of the current state of the process using real-time data (abstract; p. 2, pp. 0028-0030; p. 3, pp. 0036-0037). Moshal teaches a Java applet that pulls back to an originating server on a timed basis (specific period of time) to receive real-time data updates (p. 3, pp. 0044, 0046-0047). Therefore, it would have been obvious to one ordinarily skilled in the art at the time of invention to include Moshal's teaching of a timer for controlling the frequency of updates in Bernardo/Rasmussen/Van Huben's invention because the system will always display the most-up-to-date data with and/or without user input.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L Bautista whose telephone number is (703) 305-3921. The examiner can normally be reached on Monday-Thursday (8:00-18:00), Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PTO Move Information

11. The Patent and Trademark Office will be moving to Carlyle in October 2004

(October 12th through October 28th). The Examiner's new telephone number will be (571) 272-4132; The Examiner's SPE new telephone number will be (571) 272-4136; and the Technology Center Main Telephone Number will be (571) 272-2100.

X L Bautista
Patent Examiner
Art Unit 2179

xlb
13 September 2004